

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:08CR383
Plaintiff,)	
)	
vs.)	ORDER
)	
DEVIN M. ENRIQUES and)	
MARQUITA JENSEN,)	
)	
Defendants.)	

This matter is before the court on the oral motion of defendants Devin M. Enriquez (Enriquez) and Marquita Jensen (Jensen) for a continuance of the trial now scheduled for April 13, 2009. The motion was made during their arraignment on the Second Superseding Indictment on March 27, 2009. The government had no objection to the motion. Both Enriquez and Jensen acknowledged the additional time needed for their motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. The motion for a continuance of trial is granted.
2. Trial of this matter shall commence before Chief Judge Joseph F. Bataillon and a jury **at 8:30 a.m. on June 22, 2009**, in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.
2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from March 27, 2009 through June 22, 2009**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 27th day of March, 2009.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge